

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 21, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Scott Sales (R)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Charlene Devine, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 280, 3/20/2017; HB 306, 3/20/2017

Executive Action: SR 50, Be Adopted; HB 168, Be Concurred In As Amended; HB 70, Be Concurred In As Amended; HB 303, Motion Withdrawn; HB 182, Motion Withdrawn

HEARING ON HB 280

Opening Statement by Sponsor:

00:01:29 Rep. Randy Brodehl (R), HD 9, opened the hearing on HB 280, Allow Legislators to conceal carry handguns on state property.

[EXHIBIT\(jus58a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

00:04:21 Marlene Simms, Moms Demand Action for Gun Sense in America (MDAGS)

00:07:21 Don Jones, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:27 President Sales
00:10:10 Mr. Jones, MEA-MFT
00:10:30 Sen. Fielder
00:12:57 Mr. Jones
00:13:23 Sen. Sands
00:16:11 Rep. Brodehl
00:16:22 Sen. MacDonald
00:17:00 Rep. Brodehl
00:17:16 Sen. MacDonald
00:17:48 Chair Regier
00:18:18 Rep. Brodehl
00:18:23 Sen. Gross
00:25:36 Chair Regier
00:26:03 Ms. Simms, MDAGS
00:26:18 Chair Regier
00:26:29 Ms. Simms

Closing by Sponsor:

00:26:39 Rep. Brodehl

00:29:51 Chair Regier

HEARING ON HB 306

Opening Statement by Sponsor:

00:30:10 Rep. Bill Harris (R), HD 37, opened the hearing on HB 306, Revise the Montana Federal Mandates Act.

[EXHIBIT\(jus58a02\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:34:11 Rep. Harris

00:41:32 Chair Regier

00:42:03 Recess

00:58:30 Reconvene

EXECUTIVE ACTION ON SR 50

00:58:36 **Motion/Vote:** Sen. Fielder moved that **SR 50 BE ADOPTED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 303

00:59:28 **Motion:** Sen. Fielder moved that **HB 303 BE CONCURRED IN**.

01:00:14 **Motion:** Sen. Sands moved that **HB 303 BE AMENDED**.

[**EXHIBIT\(jus58a03\)**](#)

Discussion:

01:00:34 Sen. Sands

01:02:51 Julianne Burkhardt, Legislative Services Division (LSD)

01:03:21 Sen. Gross

01:03:36 Ms. Burkhardt, LSD

01:04:11 Sen. Gross

01:04:22 Sen. Sands

01:04:32 Sen. Swandal

01:05:31 Chair Regier

01:05:37 Sen. Swandal

01:05:42 Sen. MacDonald

01:06:25 **Substitute Motion:** Sen. Fielder made a substitute motion **TO SEGREGATE SECTION 2 FROM AMENDMENT HB030301.AJB AND CONSIDER SECTIONS 1, 3, 4, 5, AND 6**.

Discussion:

01:06:27 Chair Regier

01:07:48 Sen. Fielder

01:07:56 Sen. Sands
 01:08:16 Sen. Swandal
 01:08:53 Sen. Sands
 01:08:57 Chair Regier

 01:08:59 Without objection, Sen. Fielder withdrew the Be Concurred In motion and Substitute motion.

 01:09:06 Chair Regier

 01:09:19 Without objection, Sen. Sands withdrew the Be Amended motion.

 01:09:40 Sen. Regier

EXECUTIVE ACTION ON HB 182

01:10:20 **Motion:** Sen. Fielder moved that **HB 182 BE CONCURRED IN.**

Discussion:

01:10:43 Julianne Burkhardt, Legislative Services Division (LSD)

01:13:24 **Motion:** Sen. Vincent moved that **HB 182 BE AMENDED.**
[**EXHIBIT\(jus58a04\)**](#)

Discussion:

01:14:32 Sen. Fielder
 01:14:44 Sen. Sands
 01:15:41 Sen. Hinkle
 01:15:50 Chair Regier
 01:15:58 Sen. Hinkle
 01:16:02 Sen. Fielder
 01:16:09 Ms. Burkhardt, LSD

 01:16:42 Without objection, Sen. Vincent withdrew the BE AMENDED motion.

 01:16:50 Sen Fielder
 01:17:01 Ms. Burkhardt
 01:17:30 Chair Regier

 01:17:42 Without objection, Sen. Fielder withdrew the BE CONCURRED IN motion.

EXECUTIVE ACTION ON HB 168

01:18:30 **Motion:** Sen. Fielder moved that **HB 168 BE CONCURRED IN.**

Discussion:

01:18:47 Chair Regier

01:19:11 **Motion:** Sen. Fielder moved that **HB 168 BE AMENDED.**
[EXHIBIT\(jus58a05\)](#)

Discussion:

01:19:26 Chair Regier
 01:19:44 Sen. Swandal

01:20:54 **Vote:** Motion carried unanimously by voice vote.

01:21:11 **Motion:** Sen. Fielder moved that **HB 168 BE CONCURRED IN AS AMENDED.**

Discussion:

01:21:20 Sen. Swandal
 01:23:23 Chair Regier
 01:23:28 Sen. Swandal
 01:24:33 Sen. Sands
 01:24:37 Sen. Boland
 01:25:09 Julianne Burkhardt, Legislative Services Division (LSD)
 01:25:21 Sen. Boland
 01:25:34 Ms. Burkhardt, LSD

01:25:42 **Substitute Motion/Vote:** Sen. Regier made a substitute motion **TO AMEND HB 168 WITH A CONCEPTUAL AMENDMENT.** The motion carried unanimously by voice vote.

Discussion:

01:26:32 Sen. Sands
 01:26:56 Sen. Swandal
 01:27:16 Sen. Sands
 01:27:18 Chair Regier
 01:27:21 Sen. Swandal
 01:27:54 Chair Regier
 01:27:59 Sen. Swandal
 01:28:14 Sen. Sands
 01:28:53 Sen. Swandal
 01:29:16 Chair Regier
 01:29:23 Sen. Sands
 01:29:34 Sen. Boland
 01:29:56 Sen. Swandal

01:30:07 **Vote:** The motion that **HB 168 BE CONCURRED IN AS AMENDED** carried unanimously by roll call vote. Sen. Swandal will carry the bill.

Discussion:

01:31:06 Sen. Swandal

01:31:27 Chair Regier

EXECUTIVE ACTION ON HB 70

01:31:47 **Motion:** Sen. Fielder moved that **HB 70 BE CONCURRED IN.**

Discussion:

01:32:03 Sen. Fielder

01:32:11 **Motion:** Sen. Fielder moved that **HB 70 BE AMENDED.**

[**EXHIBIT\(jus58a06\)**](#)

Discussion:

01:32:40 Sen. Fielder

01:33:31 Sen. Sands

01:34:04 **Vote:** Motion carried unanimously by voice vote.

01:34:16 **Motion:** Sen. Fielder moved that **HB 70 BE CONCURRED IN AS AMENDED.**

Discussion:

01:34:34 Sen. Sands

01:35:19 Sen. Sales

01:35:33 Chair Regier

01:35:38 Sen. Vincent

01:36:27 Sen. Swandal

01:36:57 Chair Regier

01:37:15 Sen. Sales

01:38:52 Sen. Gross

01:40:19 Sen. Fielder

01:42:16 Sen. Sands

01:43:19 Sen. Gross

01:43:43 **Vote:** Motion carried 7-4 by roll call vote with Sen. Hinebauch, Sen. Hinkle, Sen. K. Regier and Sen. S. Sales voting no. Sen. Sands will carry the bill.

01:44:44 Chair Regier

ADJOURNMENT

Adjournment: 10:43 A.M.

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([jus58aad.pdf](#))